

FINDING OF NO SIGNIFICANT IMPACT
Crooked River Gap Fencing
Environmental Assessment (EA) No. OR-054-02-070

Prineville District Bureau of Land Management
Central Oregon Resource Area

A. INTRODUCTION

The Bureau of Land Management (BLM) has conducted an environmental analysis (Environmental Assessment No. OR-054-02-070) for a proposal to construct sections of fence to connect naturally occurring geographic barriers (cliffs). Once in place, the fences will prevent unregulated livestock use in river riparian areas and prevent wild horses from accessing the river bottom. Within the North Fork and South Fork Crooked Rivers cattle are accessing the river and remaining there during summer months. Season-long use of riparian vegetation by cattle results in overgrazing that causes stream bank instability, channel widening, and increased stream temperatures. Within the South Fork Crooked River corridor wild horses from the Liggett Table Wild Horse Herd access the river throughout the year. This type of prolonged access by wild horses also causes overgrazing of riparian vegetation, leading to stream bank instability, channel widening, and increased stream temperatures. The Herd Management Area for wild horses, as outlined in the Brothers/La Pine Resource Management Plan (USDI, 1989), does not include the South Fork Crooked River corridor.

The primary focus and aim of the proposal is to address the following objectives:

1. Protect or restore natural functions of the riparian areas. Restore or improve riparian areas to achieve a healthy and productive ecological condition for maximum long-term multiple use benefits and values. Use management practices that accelerate riparian and water quality improvement such as season-of-use grazing, sequential annual rest treatments, and riparian pastures. (Brothers/La Pine RMP, pg. 98)
2. Maintain or improve ecological status on all grazing allotments and meet management goals on those allotments (Brothers/La Pine RMP, pg. 76-79). Limit livestock use to authorized areas, seasons of use, and Animal Unit Months (AUMs).
3. Maintain wilderness characteristics in the Wilderness Study Area (WSA), according to the interim management policy for Lands Under Wilderness Review (H-8550-1) and relevant BLM memorandums regarding new range development in WSAs.
4. Maintain Outstandingly Remarkable Values (ORVs) as described in the April 1993 North Fork Crooked River Management Plan and the Wild and Scenic Rivers Act for the North Fork Crooked River (Wild classification).
5. Maintain visual quality of both the North and South Forks of the Crooked River according to the BLM Visual Resource Management (VRM) direction for WSAs.

The EA is attached to and incorporated by reference in this Finding of no Significant Impact (FONSI) determination. A No Action alternative and a Proposed Action alternative were analyzed in the EA.

The proposal is in conformance with the Brothers/LaPine RMP/EIS, the North Fork Crooked Wild and Scenic River Management Plan, Brothers/La Pine Resource Management Plan (USDI, 1993), BLM Manual H-8550-1, Interim Management Policy and Guidelines For Lands Under Wilderness Review, and BLM manuals and guidelines for riparian management as well as other resource values. These documents are collectively referred to as “the management documents of the area” in this FONSI.

Chapter 2 of the EA fully describes the alternatives considered, Chapter 3 discusses the affected environment, and Chapter 4 elaborates on the issues raised during scoping and identifies potential impacts. The No Action alternative does not meet the purpose and need of the EA and does not conform with the management documents of the area. The Proposed Action does meet the purpose and need of the EA and does conform with the management documents of the area.

B. FINDING OF NO SIGNIFICANT IMPACT

Based upon the review of this EA and supporting documents, I have determined that the project is not a major federal action and will not significantly affect the quality of the human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity as defined in 40 CFR 1508.27 and do not exceed those effects described in management documents for the area. Therefore, an environmental impact statement is not needed. This finding is based on the following discussion:

Context: The project is a site-specific action directly involving approximately 17 river miles of the North Fork Crooked River and approximately 14 river miles of the South Fork Crooked River of BLM administered land that by itself does not have international, national, region-wide, or state-wide importance.

Intensity: The following discussion is organized around the Significance Criteria described in 40 CFR 1508.27.

1. Impacts may be both beneficial and adverse. The fencing activities described in the proposed action would have varying degrees of impacts to the resources described in chapters 3 and 4 of the EA. Mitigations to reduce or eliminate impacts to all resources have been incorporated into the design of the proposed action. None of the environmental effects discussed in detail in the EA and associated appendices are considered significant, nor do the effects exceed those described in the management documents for the area.

2. The degree to which the selected alternative will affect public health or safety. The selected alternative will have no affect on public health or safety.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farm lands, wetlands, wild and scenic rivers, or ecologically critical areas. The area of the proposed project does not occur near any known significant historic or cultural resources. Mitigations are in place with in the Proposed Action alternative if any significant historic or cultural resources are discovered during construction. The effects to the wild and scenic rivers and the Areas of Critical Environmental Concern are discussed in depth in Chapter 4 of the EA. The proposed project is not expected to have any long-term adverse impacts to these unique areas. During construction, there may be some minor short-term impacts to visitors to these unique geographic areas. There are no parklands, prime farmlands or wetlands in the project area.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial. The project's effects on the quality of the human environment are not highly controversial or unknown. The environmental effects are fully analyzed in the EA.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks. The project is not unique or unusual. The environmental effects to the human environment are fully analyzed in the EA. No predicted effects on the human environment are considered to be highly uncertain or involve unique or unknown risks.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration. The project does not set a precedent for future actions that may have significant effects, nor does it represent a decision in principle about a future consideration. Any future projects will be evaluated through the National Environmental Policy Act (NEPA) process and will stand on their own environmental effects.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts. The interdisciplinary team evaluated the possible actions in context of past, present and reasonably foreseeable actions. No significant cumulative effects are predicted. A complete disclosure of the effects of the project is found in Chapter 4 of the EA.

8. The degree to which the action may adversely affect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources. The project will not adversely effect districts, sites, highways, structures, or other objects listed in or eligible for listing in the National Register of Historic Places; nor will it cause loss or destruction of significant scientific, cultural, or historical resources.

9. The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973. Mitigations to reduce impacts to wildlife and fisheries have been incorporated into the design of the Proposed Action alternative. There is potential for beneficial impacts to threatened or endangered species from the Proposed Action alternative once the fences are in place. These beneficial impacts are due to improvements to the to the riparian areas that would benefit all wildlife species in the project area.

10. Whether the action threatens a violation of a Federal, State, Local or Tribal law, regulation or policy imposed for the protection of the environment, where non-Federal requirements are consistent with Federal requirements. The project does not violate any Federal, State, Local or Tribal law, regulation or policy imposed for the protection of the environment. State, local and tribal interests were given the opportunity to participate in the environmental analysis process. Furthermore, the project is consistent with applicable land management plans, policies and programs.

11. Comply with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands) or the Fish and Wildlife Coordination Act (water resource development projects only). There are no floodplains, wetlands or water resource projects involved in or adversely affected by this project.

12. Involve unresolved conflicts concerning alternative uses of available resources (NEPA Section 102(2)(E)) not already decided in an approved land use plan. There are no unresolved conflicts not already approved in the applicable land use plans.

13. Have a disproportionate significant adverse impacts on low income or minority populations; Executive Order 12898 (Environmental Justice). This project does not have disproportionate significant adverse impacts on low income or minority populations.

14. Restrict access to, and ceremonial use of Indian sacred sites by Indian religious practitioners or adversely affect the physical integrity of such sacred sites (Executive Order 13007 (Indian Sacred Sites)). Have significant adverse effect on Indian Trust Resources. This project does not restrict access to and ceremonial use of Indian sacred sites by Indian religious practitioners, or adversely affect the physical integrity of such sacred sites (Executive Order 13007 (Indian Sacred Sites)). This project does not have significant adverse effects on Indian Trust Resources.

15. Contribute to the introduction, existence or spread of federally listed noxious weeds (Federal Noxious Weed Control Act) or invasive non-native species (Executive Order 13112 (invasive Species)). This project does not contribute to the introduction, existence or spread of federally listed noxious weeds or invasive non-native species (See 2.1.2 Proposed Action: Mitigation and Monitoring Measures).

16. Have a direct or indirect adverse impact on energy development, production, supply and/or distribution (Executive Order 13212 (Actions to Expedite Energy Related Projects)). This project does not have a direct or indirect adverse impact on energy development, production, supply and/or distribution.

Approved: /s/ Christina M. Welch
Christina M. Welch
Field Manager
Central Oregon Resource Area

June 24, 2003
Date